

REMARKS

Summary

Amended independent Claims 1 and 8 are understood to recite at least one feature not disclosed or suggested by the patents to Nagashima and Fujiwara, et al. Therefore, is the outstanding rejection of these claims over these documents still proper?

Status of the claims

Claims 1-18 are pending. Claims 1-13 have been amended. Claims 14-18 have been added. Claims 1 and 8 are independent.

Requested action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding objection and rejection in view of the foregoing amendments and the following remarks.

Specification objections

The Examiner objects to portions of pages 2, 8, 15, and 16 of the specification for minor informalities therein. In response, while not conceding the propriety of the objections, Applicants have amended these objected-to portions of the specification to address the points raised by the Examiner, thereby obviating the objections.

Substantive rejection

Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent No. 4-155363 (Nagashima) in view of the patent to Fujiwara, et al.

Response to substantive rejection

This rejection is respectfully traversed for the following reasons.

Independent Claim 1 relates to a toner supply container detachably mountable to an image forming apparatus comprising a sealing member.

Claim 1 has been amended to recite that the toner supply container also comprises a container body configured to contain toner and having an opening for permitting discharge of the toner. In addition, Claim 1 has been amended to recite that the sealing member is configured and positioned to seal for the opening, the sealing member having a welded portion which is welded to the container body and a tearing portion which is torn upon unsealing of the opening. Further, Claim 1 has been amended to recite that the welded portion has an inclined portion which is provided adjacent an end portion at which tearing starts and which is disposed laterally outside of a tearing line, the inclined portion being inclined inwardly with respect to a tearing direction.

In contrast, the patents to Nagashima and Fujiwara, et al. are not understood to disclose or suggest that a welded portion has an inclined portion which is provided adjacent an end portion at which tearing starts and which is disposed laterally outside of a tearing line, the inclined portion being inclined inwardly with respect to a tearing direction, as recited by amended Claim

1. Therefore, the Office is not understood to have yet established a prima facie case of obviousness, since MPEP §2142 states:

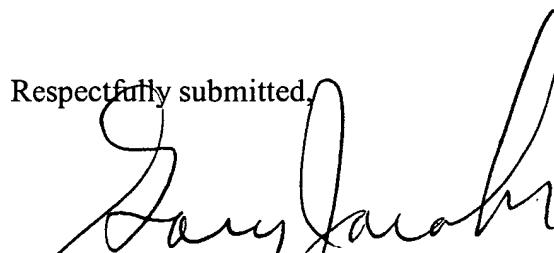
To establish a prima facie case of obviousness... the prior art reference (or references when combined) must teach or suggest all the claim limitations.

And, since independent Claim 8 has been amended to recite the same or similar features, it is allowable for the same or similar reasons. The dependent claims are allowable for the reasons given with respect to the independent claims and because they recite features which are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the claims are now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile No.: (212) 218-2200